

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

No. C 06-04716 SBA

CAROLYN FOWLER,

ORDER

Plaintiff,

[Docket No. 68]

v.

POST MASTER GENERAL JOHN
POTTER U.S. Postal Service, *et al.*,

Defendants.

Before the Court is defendants' Ex Parte Motion to Allow Trial Deposition for Unavailable Witness or in Alternative to Allow for Testimony Via Video Conference (the "Motion") [Docket No. 68]. The Court DENIES the Motion for the following reasons. First, defendants provide no reason for requesting relief ex parte. Civil Local Rule 7-10 requires any ex parte request be supported by legal authority providing for such a request ex parte, which defendants have not provided. Second, this Court's Standing Order for Civil Trials requires a movant meet and confer prior to seeking relief from this Court. Defendants have not indicated in their moving papers that they met and conferred with plaintiff. As defendants seek to take a deposition on July 2, 2008, there is still ample time for them to obtain a stipulated request from all parties, or at least explain to the Court why such a request was unobtainable. Accordingly, the Court DENIES the Motion without prejudice.

IT IS SO ORDERED.

June 16, 2008

Saundra B. Armstrong
Saundra Brown Armstrong
United States District Judge